



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF COURT CONSTRUCTION AND MANAGEMENT

2255 North Ontario Street, Suite 200 • Burbank, California 91504-3120

Telephone 818-558-3060 • Fax 818-558-3114 • TDD 415-865-4272

RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

LEE WILLOUGHBY
*Director, Office of Court
Construction and Management*

September 28, 2010

Ralph Cordova, Jr.
County Executive Officer
County of Imperial
940 West Main Street, Suite 208
El Centro, CA 92243

Board of Supervisors
County of Imperial
940 West Main Street, Suite 209
El Centro, CA 92243

Anne J. Mallory
Superintendent of Schools
Imperial County Office of Education
1398 Sperber Road
El Centro, CA 92243

Dear Mr. Cordova, Ms. Mallory, and Members of the Board of Supervisors:

As you know, for over a year, the Administrative Office of the Courts (AOC), Superior Court of Imperial County, County of Imperial, and Imperial County Office of Education (ICOE), have been working together on the feasibility of siting the long-planned New El Centro Family courthouse on property currently owned by the ICOE, located at McCabe and Sperber Roads, in an unincorporated area of Imperial County, south of El Centro. This letter is to inform you that, to keep the project proceeding within budget and to avoid further delays that could jeopardize the project; the AOC has concluded that its site selection and acquisition process must now proceed with other sites. This letter will review our efforts over the last year and summarize what has led us to this conclusion.

Project Background

Enactment of the 2009 Budget Act on July 28, 2009, enabled the AOC to formally begin work on the long-planned New El Centro Family Courthouse, with funding authorized for site acquisition. The new two-story Family Court building will contain 53,983 building gross square feet, to accommodate four courtrooms, four judges, and support staff on a 2.5-acre site to be acquired in Imperial County. The project also encompasses 120 public, juror and staff parking spaces, including eight secure basement spaces. The initial project schedule called for site selection to be completed and approved by the state Public Works Board no later than spring 2010.

Site Selection Process

Initial site selection began in July 2009. On October 9, 2009, the Project Advisory Group ranked six prospective sites according to the Judicial Council's Site Selection and Acquisition Policy. The highest-ranking site is a portion of the property owned by the ICOE. Other privately owned sites were also determined to be acceptable prospective sites, but ranked lower than the ICOE site. The portion of the Site Selection and Acquisition Policy that addresses adequacy of utility infrastructure was not applied in the ranking for any of the sites, since this information was not then known.

Among sites under consideration, the ICOE site is the only one that does not have utility infrastructure (grading, storm drainage, sewer, fire hydrants, power, street improvements, traffic lights, landscaping etc.) currently available. Because the ICOE site was highest ranked by the Project Advisory Group, the AOC went to great lengths to evaluate these infrastructure issues. Once the project architects were under contract, they began a detailed evaluation of the infrastructure needs of the ICOE site. This process included meeting with representatives of local government and working with civil engineers, cost estimators, geotechnical engineers and dry utility consultants. This evaluation process took four months, putting the project behind schedule.

July 31, 2010 Meeting and August 15, 2010 Deadline

On July 31, 2010, the results of the AOC's infrastructure evaluation were presented in a meeting of the Project Advisory Group. The meeting also included representatives of Imperial County and ICOE. We presented the estimate to construct the required infrastructure: a minimum of \$3.13 million. The required infrastructure would benefit the remaining property owned by ICOE, as well as nearby property owned by the County, and would increase the value of these properties. For these reasons, the AOC advised that both the County and ICOE would need to contribute their fair share of the cost of the infrastructure. Since ICOE owns a total of 80 acres,

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and the AOC only needs to acquire approximately 2.5 acres, ICOE and/or the County would need to pay the vast majority of the infrastructure costs.

ICOE initially took the position that because the sale price of the property was being discounted, it would be fair and reasonable for the AOC to pay the entire cost of constructing the required infrastructure. The AOC obtained an appraisal of the ICOE property, which concluded that the fair market value of the ICOE site is \$160,000. ICOE has offered to sell the property to the AOC for \$62,500, a saving to the AOC of \$97,500. This saving is not nearly enough to justify the expenditure of \$3.13 million.

At the close of the July 31, 2010, meeting, it was agreed that the County and ICOE would meet and discuss this matter separately, and that they would present a written proposal to the AOC no later than August 15, 2010. To date, no written proposal has been received. Calls to the County were not returned. On August 10, Kent Hems of ICOE advised Joanne Williamson, of the AOC, by telephone that the ICOE is not in a position to contribute any portion of the infrastructure cost. Mr. Hems repeated this statement in a separate conversation with Eric Lindebak, of Safdie Rabines Architects, on August 15, 2010.

This evaluation process has put the project behind schedule by six to eight months. The longer the project delays, the more costs increase, potentially jeopardizing the project. Accordingly, the AOC has determined that it can no longer currently consider the ICOE property as a potential site for the New El Centro Family Courthouse project because infrastructure is lacking and parties have not provided funding for this critical component. The site selection and acquisition process will proceed with other sites.

The AOC thanks you for your time, effort, and willingness to collaborate with us on behalf of the project, the Court, the judicial branch, and the residents of Imperial County. Should you have any questions about the project, please don't hesitate to contact me.

Yours truly,



Joanne Williamson
Senior Real Estate Analyst

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